

**Office of Parks, Recreation & Historic Preservation (OPRHP)**

**Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF)**

Funding Available: Up to \$26 Million

**DESCRIPTION:**

Title 9 NYCRR (sections 439.1 – 443.4) implements the Environmental Protection Fund (EPF) Act of 1993 (Title 9 of Article 54 of the Environmental Conservation Law), which created OPRHP’s program for Parks, Preservation and Heritage Grants.

EPF Parks, Preservation and Heritage grant funding is available for the acquisition, planning, development, and improvement of parks, historic properties, and heritage areas located within the physical boundaries of the State of New York. Grants can fund up to 50% of the total eligible project cost; up to 75% if the project is located in a high-poverty area as defined below. Grant awards are capped at \$500,000. If the total project cost is greater than \$4,000,000, up to \$750,000 may be requested.

**ELIGIBLE TYPES OF APPLICANTS:**

- Municipalities
- State Agencies
- Public Benefit Corporations
- Public Authorities
- Not-for-profit Corporations that have tax-exempt status under the IRS code, are current with pertinent federal and state filings, and are pre-qualified in the Grants Gateway (see <https://grantsmanagement.ny.gov/resources-grant-applicants>).

The applicant must have an ownership interest in the project property:

- Where the applicant is not the property owner:
  - If the project is for planning only, the owner must grant the applicant any access necessary to complete the project.
  - If the project involves acquisition of the property, the application must include documentation of the owner’s intent to sell, donate or transfer the property.
  - If the project involves improvement/development of the property, the owner must agree to sign the project agreement and any long-term protection document.
- If there are additional parties with an ownership interest in the property, including lien holders, all parties must agree to sign the project agreement and all lien holders must subordinate their interests to those of the State.

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT AND LONG-TERM PROTECTION REQUIREMENTS:**

Funding under the EPF Parks, Preservation and Heritage Grants program is available for the activities and programs described below. An application will be evaluated in all categories for which it qualifies. Applicants should be alert to the requirements for each category for which they wish the application to be considered.

To ensure the public benefit from the investment of State funds, properties acquired or developed with grant funds will receive long-term protections, either through parkland alienation law, conservation easements, public access covenants or preservation covenants recorded against the deeds. Public benefit documents held by the State and recorded against a property deed as a result of EPF grant funding, run with the land and apply to the grant recipient and all successive owners, operators and lessees.

- **Parks Program** - for the acquisition, development or planning of parks and recreational facilities open to the public to preserve, rehabilitate or restore lands, waters or structures for park, recreation, or conservation purposes and for structural assessments and/or planning for such projects. Examples of eligible projects include playgrounds, courts, rinks, community gardens, and facilities for swimming, boating, picnicking, hunting, fishing, camping or other recreational activities.
  - Public access covenants will be conveyed to the State for all park development projects undertaken by not-for-profit corporations.
  - Conservation easements will be conveyed to the State for parkland acquisition projects undertaken by not-for-profit corporations.
  - Parkland acquired or improved by a municipality must remain parkland in perpetuity. Information is available in the “Handbook on the Alienation and Conversion of Municipal Parkland,” located at <https://parks.ny.gov/publications/>, under Other Publications.
  
- **Historic Preservation Program** - to acquire, improve, protect, preserve, rehabilitate, or restore properties listed on the State or National Register of Historic Places and for structural assessments and/or planning for such projects. All work must conform to the Secretary of the Interior’s Standards for the Treatment of Historic Properties and professional qualifications as defined in “Historic Preservation Terms and Professional Qualifications” available at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>.
  - Properties not currently listed but scheduled for nomination review at the State Board for Historic Preservation meeting of either June 8, 2023, or September 7, 2023, are eligible to apply for funding. Questions about, or proposals for, listing on the State or National Register should be directed to the OPRHP National Register Unit at (518) 268-2213.
  - Preservation covenants or conservation easements will be conveyed to the State for all Historic Preservation grants.
  - Grant funds cannot be used for constructing contemporary additions to a historic property unless that work will provide universal access and/or eliminate code deficiencies for access/egress, such as an elevator or stair tower.
  - Multi-purpose additions to historic buildings and free-standing new construction on historic properties are not eligible for this grant program.
  - The expense of packing/storing of furnishings and artwork is allowed when required to complete an awarded project for grant-assisted interior work, such as installation of a fire suppression system, or plaster/decorative finishes.
  - For projects on sectarian properties, grant assistance can fund only costs necessary for historically accurate restoration to restore and preserve the historic integrity of the historic property, and only to the extent that those costs exceed the cost of basic rehabilitation. Information and instructions on how to structure/present a sectarian project can be found at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>.
  
- **Heritage Area Program** - for projects to acquire, preserve, rehabilitate, or restore lands, waters or structures identified in the approved management plans for Heritage Areas designated under section 35.03 of the Parks, Recreation and Historic Preservation Law, and for structural assessments or planning for such projects where an active management entity has endorsed the project. For additional information about active Heritage Areas with approved management plans, including exact heritage areas boundaries and Heritage Area Contacts, go to <https://parks.ny.gov/grants/heritage-areas/default.aspx>.

- To ensure a public benefit from the investment of state funds, all Heritage Area grants will receive appropriate long-term protections either through parkland alienation law, or in the form of public access covenants, preservation covenants or conservation easements conveyed to the State.

#### **ALLOWABLE COSTS:**

All expenditures under these grants must be for goods and services procured in a manner so as to assure the prudent and economical use of public money in the best interests of the taxpayers of the State of New York, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against nepotism, favoritism, improvidence, extravagance, fraud, and corruption. Such procedures may include, but are not limited to, competitive bidding, the solicitation of three price quotes, written requests for proposals, etc. (see Successful Applicant Requirements below for additional information).

#### **Eligible budget items include:**

##### Pre-Development Planning and Design

- **Design Fees** and other **Professional Fees** are allowed for the preparation of construction documents and to satisfy other pre-construction requirements. **Pre-development** costs must be incurred during the project term or in the three years prior to the application deadline. In general, pre-development costs **should not exceed fifteen percent (15%) of the construction costs**.
- **Archeology** includes field work, report writing, curation of artifacts and interpretation. If your project includes any ground-disturbing activity (e.g., trenching, grading, demolition, new construction, etc.), it is very likely that an archeological survey will be required unless you can provide adequate documentation of prior ground disturbance. Your budget should take into account the need for an archeological survey. Contact your regional grants administrator (RGA) (at <https://parks.ny.gov/grants/contact.aspx>) or the archeology representative for your county (at <https://parks.ny.gov/shpo/contact/>), to determine the need and anticipated costs for archeology.
- **Project planning** is eligible for stand-alone funding in all three programs. This funding is intended for project-specific planning, such as preparing site designs and specifications, schematic drawings and conducting specific project-related environmental reviews (i.e., for rehabilitation of a historic property or structural assessment of a dock for public fishing), not for planning or environmental review processes of comprehensive Open Space, Management or Master Plans.

##### Construction

- Include only the costs of permanent capital improvements to the property (may include labor, materials, and other necessary costs) that are directly related to the recreational, conservation, historic preservation, and/or heritage development purposes of the grant program. The budget should be broken down by categories of expenditure, such as utilities/infrastructure, site preparation, landscaping, carpentry, etc.
- The budget may include purchase of permanent equipment necessary to achieve the project purposes (e.g., playground equipment, interpretive kiosks), but cannot include operational or maintenance equipment such as security cameras, mowers or automotive equipment.
- The budget may include costs to undertake construction, such as rent/lease of heavy equipment, but cannot offset overhead and operating expenses, such as office rental.

- For historic preservation projects on sectarian properties grant assistance can fund only costs necessary for historically accurate restoration to restore and preserve the historic integrity of the historic property, and only to the extent that those costs exceed the cost of basic rehabilitation. Information and instructions on how to structure/present a sectarian project can be found at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>.

#### Acquisition

- The application must identify each parcel proposed for acquisition, the type of interest to be acquired (fee simple, lease, easement, etc.) and method of acquisition (purchase, donation, or transfer from another use), number of acres and estimated fair market value of the parcel(s) documented by a written appraisal valuation (desktop appraisal or exterior only appraisal) by a qualified appraiser. Acquisition costs must be incurred during the project term or up to one year prior to the application deadline.
- Associated acquisition costs, such as the cost of **appraisals** (one appraisal is required for any parcel valued under \$300,000; two appraisals are required for any parcel valued at \$300,000 or more), **surveys, title search, legal fees, title insurance (required for this grant)** and, where a conservation easement is required, the cost of **title continuation and recordation** are eligible costs.
- In the case where multiple parcels owned by the same entity are to be valued, the appraiser will first determine the highest and best use of the parcels. The highest and best use analysis will determine if the parcels should be marketed as one unit or whether they would have a higher value if marketed separately. If the parcels should be marketed separately, then each one will require its own valuation. Under no circumstances should parcels owned by different entities be valued in the same appraisal.

#### Administration

- **Construction Supervision** costs are those associated with the coordination, supervision, and scheduling of work to ensure projects are completed in conformance with design standards, construction contract documents, plans and specifications, and may be provided by a qualified member of the applicant's staff, the design professional who prepared the construction documents, or a clerk of the works.
- **Grant Administration** costs include expenses associated with administering the grant after it is awarded, such as preparing the project agreement, affirmative action, solicitation of Minority and Women-owned Business Enterprises (MWBs), and payment request documentation. In general, these costs **should not exceed ten percent (10%) of the grant amount**. The cost of preparing this application is **NOT** eligible.
- **Procurement Costs** include costs for assuring competitive pricing, such as costs for distributing Requests for Proposals and for public advertising for bids, including the cost of advertising in specialty publications, such as minority newspapers and appropriate construction publications.
- **Audit:** An accounting of grant expenditures and revenues is required. Generally, this is accomplished by detailed auditing of every payment request. Depending upon the grant award and complexity, the State may require an Agreed Upon Procedure Review (AUPR) performed by a representative of the State or a Certified Public Accountant prior to the final reimbursement.
- **Project Sign:** All grant-funded projects, except for those funding planning only, must have a project sign noting the funding assistance. Signs are available for purchase through the State for approximately \$61.

**INELIGIBLE COSTS** (will be eliminated from the total project costs in the grant application):

- Work completed prior to award is not eligible for reimbursement or for match. There are two exceptions:
  - Professional services and materials purchased or donated, but not installed, up to three years prior to the application deadline may be applied toward the matching share.
  - Acquisition costs retroactive no more than one year prior to the application deadline are eligible costs.
- Comprehensive Planning/Master Planning/Management Plans/Open Space Plans.
- Application preparation.
- Contingencies, training, travel, OJT wages, working capital, marketing, taxes, interest, purchase of operational or maintenance equipment, salaries and wages, indirect costs, overhead or operating expenses, rent/lease are ineligible unless noted otherwise above.
- Fundraising events/expenses.
- Bond interest and associated fees. The interest associated with a Bond or Bond Anticipation Note (BAN) cannot be calculated into project cost, whether for reimbursement or local match.
- Lobbying expenses.
- Costs that are not adequately justified or that do not directly support the project.

**MATCHING SHARE (APPLICANT SHARE) REQUIREMENTS:**

This grant program is administered on a reimbursement basis. **Successful applicants will be expected to fund project expenditures upfront, then submit for reimbursement.** Applicants must plan their financial arrangements accordingly.

Successful applicants are reimbursed for up to 50% of their eligible expenditures. For projects located in impoverished areas (as defined by 10% or more of the population below the poverty level according to the most recent Census data as provided in the "Poverty Level Table by ZIP Code Tabulation Area (ZCTA)" at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>), the reimbursement can be up to 75% of the eligible project cost.

All applicants are expected to raise their share within one year of the award, or risk cancellation of the grant.

Principal types of applicant share are:

- **Cash:** Includes grants other than this grant request.
  - Other Environmental Protection Fund grants (i.e., Climate Smart Communities, Water Quality Improvement Project, Local Waterfront Revitalization Program, Greenway Conservancy Trail Grant Program, etc.) cannot be used as match.
  - State and Municipal Facilities Program (SAM) funding cannot be used as a required match or be considered a local share but can be used to pay for additional project costs that are over and above the award and required local match.
- **Force Account:** Applicant's payroll expenses itemized according to job title or job assignment on project. Grant recipients will be required to document time worked, tasks, pay ratio and payment (including components and percentage of fringe benefit rate).
- **Professional Services:** The value of services provided by professional and technical personnel and consultants. Three-year retroactivity applies.
- **Supplies and Materials:** The fair market value of items warehoused (not yet installed). Three-year retroactivity applies; use value current at time items were obtained.

- **Volunteer Labor:** Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at <https://independentsector.org/>. The current value of volunteer time for New York State can be found at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>. For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State.
- **Equipment Usage:** Valued according to its fair market rental cost in the project location.
- **Real Property:** The value of all property acquired, donated, or converted from other purposes. One-year retroactivity applies to all three categories. For real property owned by the applicant and converted from other purposes, the value of such property may be included under the EPF budget, provided it has not been previously designated as parkland or otherwise used for purposes related to this project.

**FUNDING PRIORITIES:** Priority projects are those that clearly demonstrate and document:

- **Impact:** For park projects, the importance of the project to the community in terms of population served and need for facilities. For historic preservation, the extent to which the project will contribute to preservation of a historically significant property and its features. For Heritage Areas, the extent to which the project will enhance the visitor experience and address the resources and goals of the local Heritage Area.
- **Planning Initiatives:** For all projects, community support; consistency with state/region/community plans, including and especially the Statewide Comprehensive Outdoor Recreation Plan (SCORP).
- **Reasonableness of Cost:** For all projects, sound administrative infrastructure/reasonableness of costs, including demonstration of project planning, administrative structures and a budget that reflects fiscal prudence and readiness to proceed.
- **OPRHP Commissioner Priorities for 2023:**
  - Projects that enhance and/or create opportunities for walkable public spaces for recreation, fitness, community gardens and open space in underserved neighborhoods (i.e., build green space, revitalize existing athletic and recreational facilities, create and enhance amenities at community gardens and schoolyards).
  - Projects that enhance, extend, or complement the Empire State Trail and other multi-use pedestrian and bicycle trails, creating physical and functional connections among already-protected state and local lands, historic sites, greenways, trails (including the Empire State Trail) and waterways. For example, projects may include landscape and trail improvements and special features or signage to improve programming and interpretation.
  - Projects that enhance sustainability and resilience, for example retro-fitting historic structures and facilities, or propose nature-based solutions to the challenges of climate change in parks and historic properties.
  - Projects that advance and/or complement transformational projects across the State, especially in disadvantaged communities, to address and prepare for the impacts of climate change. Priority projects would enhance outdoor recreation while: preserving open space; restoring natural communities, implementing climate resilient infrastructure, and reducing flood risk.
  - Projects that are undertaken by OPRHP Friends organizations or other partner groups that occur in State Parks or Historic Sites.

Applicants are encouraged to use the online layered “Grants Map for CFA” accessed via <https://parks.ny.gov/grants/consolidated-funding-app.aspx> to help answer application questions in the CFA, including questions concerning how to identify the appropriate Regional Economic Development Council, ZIP Code Tabulation Area (ZCTA) and Poverty data, save and print or upload a 1:24,000 scale topographic or planimetric map, etc. for the project location. The instruction document, “Using the Grants Map for CFA,” outlines how to use the features of the layered map.

#### **APPLICATION REQUIREMENTS:**

The following documentation will be required with the application. **Applications lacking these attachments (or an acceptable explanation) are considered incomplete, and may cause the application to be deemed ineligible, or adversely affect the rating points assigned.** Depending upon the particular circumstances of your project, other attachments may be required. Still other attachments, while not required, may be essential to support rating points. All documents should be current to this grant cycle. See the **ADDITIONAL RESOURCES** section at the end of this document, and the Attachment Checklist at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>, for additional guidance on required documents as well as supporting documentation that is requested but not required. Applicants are encouraged to contact the Regional Grants Administrator for their project area to have an initial conversation regarding their proposal prior to submitting an application.

#### **For All Applicants:**

- **State Environmental Quality Review Act (SEQR) compliance documentation:**
  - Not-for-profits must fill out the “Environmental Review Form” available at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>.
  - Municipalities must document or describe where they are in the SEQR process.
- **Photos** showing the project area
- **Schematic Site Plan**
- 1:24,000 scale **topographic or planimetric map** with the **subject property circled**

#### **For All Not-for-Profit Applicants:**

**Pre-qualification in the Grants Gateway is required.** Grant proposals received from nonprofit applicants that are not Prequalified in the Grants Gateway at the application due date and time will not be evaluated. Such proposals will be disqualified from further consideration. Keep in mind the status may expire during the evaluation period, so it is a best practice to double check the status before the application deadline. Further information is available from the Grants Gateway at (518) 474-5595.

**Disclaimer:** New York State reserves 5-10 business days from the receipt of complete Prequalification applications to conduct its review. If supplementary information or updates are required, review times will be longer. Due to the length of time this process could take to complete, it is advised that nonprofits Prequalify as soon as possible. Failure to successfully complete the Prequalification process early enough may result in a grant application being disqualified.

#### **For Not-for-Profit Applicants applying for a project under the Parks Program:**

**Except for projects on State lands, a resolution of municipal endorsement,** passed by the governing body of the municipality in which the project is located, which stipulates the approval/endorsement of the application. For projects involving multiple municipalities,

the endorsement is required from the municipality with planning jurisdiction (e.g., the county) and all municipalities owning affected property. See a sample of an acceptable resolution of “Municipal Endorsement” at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>.

**For Historic Preservation Applicants:**

Documentation of State/National Register listing or scheduled nomination review.

**For Heritage Area Applicants:**

**Written approval/endorsement of the project by the local heritage area management entity**, if it is not the project sponsor, is required with the application. The letter should reference the appropriate Heritage Area management plan and relevant Heritage Area resources and goals. For information about active Heritage Areas with approved management plans, including exact heritage areas boundaries and Heritage Area Contacts, go to <https://parks.ny.gov/grants/heritage-areas/default.aspx>.

**For Applicants proposing to undertake work in a State Park or Historic Site:**

**Letter(s) of support** from the **Regional Director AND Capital Facilities Manager**. One letter of support may be provided with both signatures.

**For Applications including Acquisition (purchase, donation, or transfer from another use):**

- **Evidence of the owner’s intent** to sell, donate or transfer the property.
- **A written appraisal valuation** (desktop appraisal or exterior only appraisal) by a qualified appraiser for all property that will be acquired or used as match as part of the proposal.

**For Applications where Parkland is being Alienated:**

If the project is located in a public park facility, all or part of which is being sold, leased, exchanged, donated, disposed of or used for other than public park purposes, a copy of the **proposed or enacted legislation authorizing the alienation**.

Attachments listed in the **APPLICATION REQUIREMENTS** section of the guidance document are required of every application as indicated. Following is additional guidance on required attachments. All documents should be current to this grant cycle.

**State Environmental Quality Review Act Compliance (SEQR)**

**NOT-FOR-PROFIT CORPORATIONS:** Complete the “Environmental Review Form” available online at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>. Also include with your application clear drawings, maps, or plans of existing and proposed natural and man-made conditions on the site and the areas immediately adjacent to the site.

**MUNICIPALITIES:** The municipality will be responsible for providing a completed SEQR review. The municipality will be the SEQR lead agency if OPRHP is the only other agency involved or will be responsible for initiating lead agency designation procedures if there are other involved agencies (e.g., the Department of Environmental Conservation (DEC) via a required permit). The lead agency is required to classify projects under SEQR, and make a determination of significance as follows:

- If your project is Type II, it is not subject to SEQR. If this is the case, provide a statement as to the classification of your project and the reason. If any permits are required, list them in your statement.

- If your project is subject to SEQR, consult SEQR regulations to determine if it is classified Unlisted or Type I.
  - If it is Unlisted, submit a completed Short Environmental Assessment Form (EAF) (Parts I-III).
  - If the project is classified Type I, submit a completed Full Environmental Assessment Form and either a negative declaration or a Final Environmental Impact Statement (FEIS) and SEQR Findings.
- If the project's impacts have been previously reviewed under SEQR, supporting documentation must be submitted (e.g., FEIS and SEQR Findings Statement).

### **Photos**

Provide images (scanned photographs or born-digital; photocopies are not acceptable substitutes) showing the overall project area and documenting existing conditions. Include photos of any structures more than 50 years old within, or immediately adjacent to, the project area. Provide views to these features from the project site, as well as views of the project site from them. Photographs must reflect current conditions. Images that are freely available on the internet may not show current, actual conditions. Key all images to a schematic site plan (see below). For an optimal review of the project, photography tips and guidance can be found here <https://parks.ny.gov/grants/consolidated-funding-app.aspx>.

### **Schematic Site Plan**

Provide a document that pictorially connects the narrative, photos, budget, and for a historic property the work detail.

For parks, the site plan should identify the boundary of the park that is the subject of the application and show how it relates to the surrounding areas (properties adjoining the site, roadways, water bodies, public access), what facilities are currently existing on the proposed site (arrows or legend to indicate type - baseball fields, playgrounds, pavilions, parking areas, public access to the site, links to surrounding areas via trails, etc. and location of those facilities within the park), and what facilities are being proposed (type and location). The plan should be linked to photos showing the subject area and surrounding areas, the narrative describing the work being contemplated, and the budget showing estimated costs.

With historic properties, two dimensional plans or elevations which identify the areas of the structure or site with the conditions as they currently exist that are the subject of the application (i.e., arrows to mortar joints, cracks, bricks); these would have a legend or some other way to link back to photos which show the areas of concern, the narrative and work detail which describe both existing conditions and the proposed work to correct issues, and the budget showing the estimated costs to accomplish the work.

### **Map**

Submit a 1:24,000 scale USGS or DOT planimetric map with the subject property circled. An 8½" x 11" section, copy, or printout is acceptable, so long as it shows at least 1:24,000 scale and is clearly marked as to scale and source, including Quad Name and/or Code. We recommend using the online, layered "Grants Map for CFA," accessed via <https://parks.ny.gov/grants/consolidated-funding-app.aspx> and the instruction document, "Using the Grants Map for CFA." Another source for downloadable, printable maps is the NYS GIS Clearinghouse <http://gis.ny.gov/gisdata/quads/>. In addition, you may submit any other site map that is available which will help to locate the specific project site.

### **Federal, Statewide, Regional and Local Planning Documents**

Provide clearly marked excerpts in support of the project narrative AND documentation that the plans cited reflect current need (e.g., a copy of the resolution adopting or reaffirming the local plan if it is 5 years or older).

### **Community Support**

Documentation of community support may include an official resolution by the governing body of the applicant, approving and/or endorsing the project and affirming public and community support for it; evidence of public participation, public outreach plan, press releases/announcements, public meetings, events, fundraising campaign plans. Provide copies of official project endorsements, partnerships, and letters of support (especially those from people directly impacted by the project).

### **Planning Grants**

To justify the proposed consultant costs, two estimates are required. For planning budgets involving just the preparation of plans and specifications, provide at least two professional estimates for the preparation of these documents or provide two professional estimates of the proposed construction costs or submitted construction bids and identify the percentage of the professional fee to prepare plans and specifications. For other planning projects (condition studies, Historic Structures Report, Cultural Landscape Report, feasibility study, etc.), submit two estimates and documentation of consultants' qualifications and/or licenses (for historic preservation professionals, see "Historic Preservation Terms and Professional Qualifications" available at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>).

### **Alienation Legislation**

If parkland is being alienated (projects located in a public park facility, all or part of which is being sold, leased, exchanged, donated, disposed of or used for other than public park purposes), provide a copy of the proposed or enacted legislation authorizing the alienation.

### **SUPPORTING DOCUMENTATION:**

Depending upon the particular circumstances of your project, other attachments may be required. Still other attachments, while not required, may be essential to support rating points. All documents should be current to this grant cycle. See below for a list of supporting documentation.

- Evidence of local historic preservation or landmark designation
- Clearly marked excerpts from federal, statewide, regional, or local planning documents
- Written documentation clearly identifying community need and involvement; if the local plan which identifies the need for the project is 5 years or older, provide evidence that the plan reflects current need (i.e., a copy of the resolution adopting or reaffirming the local plan)
- Documentation from State agencies regarding remediated brownfields, protected species, habitats, etc.
- Documentation of pre-construction planning, procurement of services, consultant qualifications, etc.
- Ground disturbance documentation
- All official project endorsements, partnerships, and letters of support
- For stand-alone planning projects, justification of budget estimate

**ATTACHMENTS TO SUPPORT APPLICATION:**

As outlined above, your application requires you to upload supporting documents. Before you begin to prepare the supporting documents, go to the Documents tab within the Consolidated Funding Application to review size limits and acceptable file formats, including how to combine multiple files into a single file. *It is also advisable to use short naming conventions when labeling each file; longer named attachments may prevent the file from being opened.*

You may proceed with your application without uploading these documents. However, since supporting documents are required, you must return to the Documents section and upload the required documents before you can finalize and submit your online application.

For assistance scanning your documents, please contact the Regional Grants Administrator for your County at <https://parks.ny.gov/grants/contact.aspx>.

**ADDITIONAL RESOURCES:**

Go to <https://parks.ny.gov/grants/consolidated-funding-app.aspx> to view forms and resources containing additional instructions concerning attachments to the application. For more information, contact the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) Regional Grants Administrator (RGA) for your county (<https://parks.ny.gov/grants/contact.aspx>), or [NYSOPRHPGrants@parks.ny.gov](mailto:NYSOPRHPGrants@parks.ny.gov).

**GRANT SELECTION CRITERIA:** Each application will be reviewed for eligibility and, if determined eligible, will be rated according to the Grant Selection Criteria. Applications will be evaluated to assess the degree to which they meet the elements of each criterion below. A successful grant proposal is not expected to meet all of these criteria. Within each region, applications are ranked according to project category, competing only against others in their region and category. The Grant Selection Criteria are:

**I. Project Impact (up to 30 points)**

For Parks Projects:

- A. Need, as determined by a statewide assessment (0-5):
  - For recreation projects: SCORP Relative Index of Needs
  - For open space/conservation projects: NYS Open Space Conservation Plan
- B. Community Impact and Need (0-25). The application should document both the extent of a need and how the project will address that need.

Population Served: Assess whether the project will primarily serve a densely populated area, an area where a substantial proportion of the population is of low income, and/or a population that is otherwise disadvantaged or underserved with respect to existing recreational opportunities. For example, will it meet the needs of an aging population, encourage participation by youth and teens, respond to population and social changes in the community, and/or ensure open and reasonable access to persons of various abilities.

Need for Facilities: Assess the degree to which local recreation, conservation or open space deficiencies will be addressed by the project. Evidence of need can include documentation of:

- For recreation projects: number of similar facilities in the service area; level of use of existing facility and anticipated level of use of proposed facility; condition of facilities, including evidence of physical deterioration, decay, neglect, or disinvestment; emergencies, mandates, or development pressure.
- For open space/conservation projects: protection of watershed, aquifer, animal or plant species, significant natural communities, or other natural, scenic or open space resources that are unique, rare, or of statewide or regional significance; wetlands, shorelines, unique areas, biodiversity areas, wildlife habitats, forested wildlife, flood plains; improved access to water or public fishing rights, trails or greenways; increased land for active recreation in existing or new parklands, buffer zone/viewshed to enhance or protect existing recreational or environmental resources; or a recognized brownfield site for park development.

For Historic Preservation Projects:

A. Level of Significance (0-15). Points are awarded based on the level and area(s) of significance of the property (as recorded in the State/National Register nomination or in the National Historic Landmark documentation), consideration of the significance of the specific feature(s) of the property to be addressed in the proposed project (e.g., a primary contributing resource versus a secondary contributing resource), and the extent to which the project protects, enhances or impacts that property and feature(s).

B. Severity/Immediacy of Threat (0-15). Points are awarded based on the type (e.g., deterioration, damage, demolition, inappropriate development), extent (e.g., isolated, widespread, accelerated), severity, immediacy, and degree (e.g., recent, on-going, imminent) of threat to the property from negligence, development pressure, inappropriate treatment, etc., and the degree to which the project addresses that need and ensures the long-term preservation of the property.

For Heritage Area Projects:

A. Addresses significant Heritage Area resources (0-5). Points are awarded based on how well the project contributes to the preservation, restoration, or enhancement of natural, historic, or cultural resources related to the Heritage Area's interpretive theme(s) as established in its approved management plan.

B. Addresses Heritage Area goals (0-15). Points are awarded based upon how the project addresses the Heritage Area goals of preservation/conservation, education/interpretation, recreation, and economic revitalization. At a minimum, a Heritage Area project will address one Heritage Area goal, but a typical Heritage Area project addresses two or more. Therefore, points should reflect both the number of goals met and how well they are met.

C. Enhances the Heritage Area Experience (0-10). Points are awarded based upon the degree to which the project directly serves or benefits heritage area visitors and users, enhances the function and visual quality of the heritage area, and/or contributes to the local economy.

## II. Planning Initiatives (up to 10 points):

A. Community Support: Points are based on evidence of community support of and involvement in the project, including efforts to publicize and/or engage the community in project planning, such as:

- letters of support, especially those from people directly impacted by the project
- official project endorsements/partnerships and other evidence that the project is supported by local elected officials and community groups, such as Land Trusts, recreation committees, environmental councils, preservation boards, Friends groups, local activists
- press releases/announcements/publicity
- plans for public outreach or fundraising campaign
- news articles
- records of public meetings including project-specific meetings (such as press event), official government reviews (e.g., Community Board, Planning Board, etc.) and presentations to a group such as a neighborhood association or interest group

B. Consistent with Plans: In determining whether the project relates or contributes to documented plans, examine documents cited and submitted. For planning documents more than five years old, look for evidence that the plans are current and applicable.

Relevant documents include, but are not limited to:

- NYS Open Space Conservation Plan as a priority project
- New York State Historic Preservation Plan
- New York Statewide Trails Plan/New York Statewide Greenway Trails Plan
- State or National Heritage Area Management Plans
- Local Waterfront Revitalization Program (LWRP)
- Recognized local Open Space Plan
- Local historic preservation ordinance/designations
- Community participation in the Certified Local Government (CLG) Program
- Other state/federal/local plans, such as Preserve America designation, Path Through History, etc.
- Community comprehensive or master plans or other local plans
- Project implements a prior Planning grant

**III. Reasonableness of Cost (0-20).** Project planning, administrative structures and budget demonstrate fiscal prudence and readiness to proceed. Is there a logical justification for all expenses? Does the budget narrative include an explanation for each budget line and clearly support the applicant's need for additional financial resources to achieve project outcomes? Does the budget include the required matching funds? Does the proposal describe how the grant recipient will monitor expenditures during the life of the project to ensure that the project stays on schedule and within budget?

### A. Budget

- Budget in the application is complete, detailed, computed correctly, and contains no extraneous or ineligible expenses.
- The budget is based on a cost estimate from a reliable source.
- Matching funds are on hand and/or application evidences a reasonable expectation that matching funds will be available as and when needed.

#### B. Readiness

- Necessary project planning and document preparation has been completed.
- Qualified project professionals, properly procured/hired, are on hand.
- Proposed project/work is appropriate and conforms to accepted professional standards.
- Application evidences viable strategy and resources for implementing/operating and maintaining the project in the future.

#### C. Feasibility

- Administrative structures are in place to handle grants.
- Applicant has proven experience in projects of similar scale and/or scope.
- Timeframe presented in application is reasonable to accomplish all aspects of the work and grant administration (including any necessary fundraising).

### **IV. OPRHP Commissioner Priorities for 2023 (0-10)**

- A. Projects that enhance and/or create opportunities for walkable public spaces for recreation, fitness, community gardens and open space in underserved neighborhoods (i.e., build green space, revitalize existing athletic and recreational facilities, create and enhance amenities at community gardens and schoolyards).
- B. Projects that enhance, extend, or complement the Empire State Trail and/or other multi-use pedestrian and bicycle trails, creating physical and functional connections among already-protected state and local lands, historic sites, greenways, trails (including the Empire State Trail) and waterways. For example, projects may include landscape and trail improvements and special features or signage to improve programming and interpretation.
- C. Projects that enhance sustainability and resilience, for example retro-fitting historic structures and facilities, or propose nature-based solutions to the challenges of climate change in parks and historic properties.
- D. Projects that advance and/or complement transformational projects across the State, especially in disadvantaged communities, to address and prepare for the impacts of climate change. Priority projects would enhance outdoor recreation while: preserving open space; restoring natural communities, implementing climate resilient infrastructure, and reducing flood risk.
- E. Projects that are undertaken by OPRHP Friends organizations or other partner groups that occur in State Parks or Historic Sites.

### **V. Regional Economic Development Council Assessment (0-20)**

## VI. Statewide Assessment “Commissioner Points” (0-10)

A. Geographic Distribution. Consideration may be given to projects in areas that have or have not received funding in recent cycles or where funding is not commensurate with the population of the area. This will be based on the proximity to other funded sites and the diversity of projects being funded on a regional and local basis, as well as the service area of the developed or planned facilities.

B. Maximize Use and Accessibility. Consideration may be given to projects where funding will allow underutilized facilities to be accessed or to develop underutilized resources for public use. This will be based on the resources offered by the facility, the use of those resources and whether the proposed project will help the facility expand and enhance its public use.

C. Special Engineering, Environmental, Preservation Benefits. Consideration may be given to develop particularly significant resources and facilities or to develop innovative approaches to preserve valuable resources. This will be based on the type of resource being developed or rehabilitated; its rarity on a local, regional, statewide, and national basis; the ability of an innovative technology to address an emergency or mitigate future problems; how well a technology can be “exported” for use on other properties and resources; and how/if the project will allow public access that would not otherwise be available.

D. Past Performance. Consideration may be given to how timely an applicant completed previous projects, including its reporting requirements; how successful it was in outreach, especially to minority- and woman-owned businesses; the ongoing upkeep and maintenance of the property; and its cooperation in allowing OPRHP to complete inspections and other follow-up activities.

TOTAL (0-100)

## VII. Project in a Hudson River Greenway Compact Community (5% bonus).

Award points if the proposed project is located in a Hudson River Valley Greenway **Compact** Community, and the application documents that the project is consistent with the Greenway criteria of natural and cultural resource protection, regional planning, economic development, heritage and environmental education, and/or public access to the Hudson River (for information, go to: <https://hudsongreenway.ny.gov/community-planning> or the Greenway map at <https://hudsongreenway.ny.gov/system/files/documents/2021/10/greenway-map-oct-2021.pdf>).

### AWARD CRITERIA DETAILS

- ELIGIBLE AREA, CITY, COUNTY, POPULATION LIMITS OR POPULATION TARGET TYPES: Not less than \$13 million of the \$26 million appropriation must be awarded to projects located in densely populated and/or underserved areas. (Note: \$1,925,000 of the appropriation is directed to specific line items, leaving \$24,075,000 available for the competitive award program.)
- LIMITATIONS: While applicants may apply for more than one grant category funded under OPRHP’S EPF Program, no project will receive more than one grant award in any funding year. There is no statutory limit on the number of grants one property, or one applicant may receive, but in the interest of equity and fairness and in consideration of applicant capacity, applicants that have three or more open grants with OPRHP should not receive additional

awards. **There is an administrative cap of \$500,000. If the total project cost is greater than \$4 million, up to \$750,000 may be requested.** Should project costs increase post-award, the grant award **will not** be adjusted upward. If the total eligible project cost falls to \$4 million or less, the award will be reduced to no more than \$500,000.

- LONG RANGE GOALS: Special consideration should be given to projects that are referenced in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) or included in other state and local planning initiatives.
- PROJECT TERM COMPLETION DATES: Once all conditions of award are met (see SUCCESSFUL APPLICANT REQUIREMENTS below) and a contract is executed with the State, it is anticipated that acquisition and planning projects will be completed within one year and construction projects within two years; projects must be completed within five years from the date of the award of the grant. OPRHP will monitor the progress of project work and will recapture awarded funds if significant progress is not made.

#### **SUCCESSFUL APPLICANT REQUIREMENTS:**

Successful applicants are advised NOT to begin work until a project contract with the State has been fully executed. Proceeding without advance OPRHP approval will jeopardize grant reimbursement.

Certain conditions of award must be met to the satisfaction of OPRHP before a contract can be executed with the applicant/grantee. These will include, but are not limited to:

- Submission of a signed authorizing resolution that names the official(s) authorized to accept the grant funds and enter into and execute a contract (as well as long-term protection documents and other certifications, if required) with the State.
- Submission of a signed Prevention of Sexual Harassment in the Workplace Policy certification. The grantee's Authorized Official shall certify that the grantee (1) has and has implemented a written policy addressing sexual harassment prevention in the workplace and such policy meets the minimum requirements of section two hundred one-g of the labor law and (2) provides annual sexual harassment prevention training to all its employees. In addition, the grantee's Authorized Official shall certify the grantee will make best efforts to retain contractors and/or sub-contractors for grant-related work that also meet the provisions of (1) and (2) above. Alternatively, if the grantee cannot certify the foregoing, the grantee's Authorized Official shall so state and shall furnish a signed statement which sets forth in detail the reasons therefore. NOTE: Information, including model policy and training standards, is available on the New York State Department of Labor's website at: <https://www.ny.gov/combating-sexual-harassment-workplace/employers>.
- Submission of a signed Non-Discrimination certification. The grantee's Authorized Official shall certify that the grantee does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sexual orientation, gender identity, military status, sex, marital status, disability, or other protected basis. In addition, the grantee's Authorized Official shall certify that the grantee will make best efforts to retain contractors and/or sub-contractors for grant-related work that do not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sexual orientation, gender identity, military status, sex, marital status, disability, or other protected basis. Alternatively, if the grantee cannot certify the foregoing, the grantee's Authorized Official shall so state and shall furnish a signed statement which sets forth in detail the reasons therefore.
- Enrollment in New York State's electronic payment program for vendors. Information on how to enroll can be found here: <https://www.osc.state.ny.us/vendors/index.htm>

- Registration in the Grants Gateway.
- For not-for-profit grantees:
  - Maintenance of pre-qualification status in the Grants Gateway.
  - Documentation of current coverage or exemption for Workers' Compensation and Disability Insurance
  - Being current with pertinent filings under Section 501 of the United States Internal Revenue Code and the following New York State Laws, as applicable: Article 7-A of the Executive Law; Section 8-1.4 of the Estates, Powers and Trusts Law; Section 1508 of the Not-for-Profit Corporation Law; or Section 215 of the Education Law.
  - Valid New York State Vendor Responsibility Questionnaire.
- Evidence of ownership interest, including:
  - For development projects:
    - Property deed and affidavit of title or opinion of municipal counsel.
    - If the grantee does not own the property in fee, documentation of the ownership interest, such as a lease, management agreement, or memorandum of agreement.
  - For stand-alone planning grants where the grantee does not have any ownership interest in the property: the owner's written permission for the applicant to access the property as necessary to complete the project.
- If the project involves improvement/development of the property, the owner must agree to sign the project agreement and any long-term protection document.
- If there are additional parties with an ownership interest in the property, including lien holders, all parties must agree to sign the project agreement and all lien holders must subordinate their interests to those of the State.
- Environmental and historic preservation reviews (including archeological review).
- Documentation of all necessary approvals to undertake the project.

Grant contracts will require that prior to commencement of project work, certain procedures must be followed, and documentation provided to and approved by OPRHP including, but not limited to:

- For any project involving ground disturbance (trenching, grading, demolition, new construction, etc.), prior ground disturbance documentation or an archeological investigation will be required.
- Acquisition projects require certification of clear title by the State.
- Any permits required from agencies such as the NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (COE) must be filed with the State before construction begins.
- OPRHP must accept/approve plans and specifications, bidding documents, competitive bidding, and solicitation of MWBEs, etc.
- All EPF projects are subject to New York State Education Law (Articles 145, 147 & 148) regarding the preparation of plans and specifications. Plans which include the design of buildings and/or structures, such as bridges, tunnels, and scenic overlooks, must be stamped, signed, and dated by a Licensed Professional, as defined in New York State Education Law.

Project costs will be eligible for reimbursement only if the specified grant work is included in the approved contract, meets State standards and the expenditures are made in compliance with State requirements, including, but not limited to:

- Pursuant to Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity, grant recipients will be required to solicit MWBEs before commencing work and to document efforts involving MWBEs during the project term.
- Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money.
- All reimbursements for projects on property eligible or listed on the National or State Registers of Historic Places must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards.
- For grant awards of \$750,000, total eligible project cost must be greater than \$4M to receive the total grant award. In the event the total eligible expenditures are \$4M or less, the grant will be reduced to no more than \$500,000, and the grantee will be required to repay any funds over the final calculated eligible award.
- At the discretion of the State, an Agreed Upon Procedure Review may be required by the State, performed by a representative of the State or a Certified Public Accountant.

**Failure to comply with these requirements could jeopardize full reimbursement.**

OPRHP staff will conduct periodic inspections, including a final inspection of the project, and may conduct post completion inspections as warranted to ensure the public benefit is maintained.